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*Attorneys for Defendants Mortgage  
Electronic Registration Systems, Inc.,  
ReconTrust Company, N.A., Bank of  
New York Mellon as Trustee for the  
Certificate Holders CWABS, Inc. Asset-  
backed Certificates, Series 2005-IM2,  
and Bank of America, N.A.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

NORMA S. WAGONER,

Plaintiff,

v.

MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC., RECONTRUST COMPANY,  
N.A., BANK OF NEW YORK MELLON fka  
THE BANK OF NEW YORK, as Trustee for the  
Certificate Holders CWABS, Inc. Asset-backed  
Certificates, Series 2005-IM2, FIDELITY  
NATIONAL DEFAULT SOLUTIONS, LSI  
TITLE AGENCY, INC., BANK OF AMERICA,  
N.A., DOES I through X, and ROE  
CORPORATIONS I through X,

Defendants.

Case No.: 2:11-cv-01922-GMN-PAL

ORDER CANCELING LIS PENDENS

The Court finds Wagoner recorded a Notice of Lis Pendens Affecting Real Property on or about February 22, 2012 as Instrument Number 201202220002390 in real property records maintained by the Clark County Recorder. A copy of the Lis Pendens is attached as **Exhibit 1** and fully incorporated by reference.

On November 9, 2011 Wagoner filed a complaint against defendants. Wagoner's complaint was dismissed, without prejudice, by this Court on March 27, 2013. [Dkt. 26]. The Court gave

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Wagoner leave to amend, but cautioned she needed to file her amended complaint by April 25, 2013 or the entire action would be dismissed **with prejudice**. *Id.* (emphasis added).

Wagoner failed to file an amended complaint pursuant to the Court's deadline.

The Court:

1. Orders, adjudges, and decrees that the above-referenced Lis Pendens is canceled, released and expunged.

2. Further orders, adjudges and decrees that this Order canceling the above-referenced Lis Pendens has the same effect as an expungement of the original Lis Pendens.

3. Further orders, adjudges and decrees defendants record a properly certified copy of this Cancellation Order in the real property records of Clark County, Nevada within a reasonable amount of time from the date of this Order's issue.

**IT IS SO ORDERED** this 21st day of May, 2013.

  
Gloria M. Navarro  
United States District Judge

Submitted by:

DATED this 17th day of May, 2013.

**AKERMAN SENTERFITT LLP**

/s/ Christine M. Parvan  
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*Attorneys for Defendants Mortgage Electronic  
Registration Systems, Inc., ReconTrust  
Company, N.A., Bank of New York Mellon as  
Trustee for the Certificate Holders CWABS, Inc.  
Asset-backed Certificates, Series 2005-IM2, and  
Bank of America, N.A.*

# **EXHIBIT 1**

# **EXHIBIT 1**

3

**RECORDING COVER PAGE**

Must be typed or printed clearly in black ink only.

Inst #: 201202220002390  
Fees: \$19.00  
N/C Fee: \$0.00  
02/22/2012 02:48:48 PM  
Receipt #: 1073779  
Requestor:  
JOHN PETER LEE  
Recorded By: MJM Pgs: 3  
DEBBIE CONWAY  
CLARK COUNTY RECORDER

**APN#** 179-20-817-035

11 digit Assessor's Parcel Number may be obtained at:  
<http://redrock.co.clark.nv.us/assrrealprop/owner.aspx>

**TITLE OF DOCUMENT (DO NOT Abbreviate)**

Notice of Lis Pendens

Title of the Document on cover page must be EXACTLY as it appears on the first page of the document to be recorded.

**Recording requested by:**

John Peter Lee, Ltd.

**Return to:**

**Name** John Peter Lee, Ltd.

**Address** 830 Las Vegas Boulevard South

**City/State/Zip** Las Vegas, Nevada 89101

This page provides additional information required by NRS 111.312 Sections 1-2.

An additional recording fee of \$1.00 will apply.

To print this document properly—do not use page scaling.

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

8 NORMA S. WAGONER,

9 Plaintiff,

10 v.

CASE NO.:2:11-cv-01922-GMN -PAL

11 MORTGAGE ELECTRONIC  
12 REGISTRATION SYSTEMS INC.,  
RECONTRUST COMPANY, N.A.  
13 BANK OF NEW YORK MELLON FKA  
THE BANK OF NEW YORK, AS  
14 TRUSTEE FOR THE CERTIFICATE  
HOLDERS CWABS, INC.  
15 ASSET-BACKED CERTIFICATES,  
SERIES 2005-IM2, FIDELITY  
16 NATIONAL DEFAULT SOLUTIONS,  
LSI TITLE AGENCY INC., BANK OF  
17 AMERICA, N.A., DOES I through X and  
ROE, CORPORATIONS I through X;

18 Defendants.

19 2049.024348-mg

20 NOTICE OF LIS PENDENS

21 NOTICE IS HEREBY GIVEN that a Complaint implicating title has been filed in the above-  
22 entitled Court by the Plaintiffs against the named Defendants, Mortgage Electronic Registration  
23 Systems Inc., Recontrust Company, N.A., Bank of New York Mellon fka The Bank of New York,  
24 as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2005-IM@,  
25 Fidelity National Default Solutions, LSI Title Agency Inc., Bank of America, N.A.

26 ...

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1 The said premises affected by this action is commonly described as 437 Riverton Road,  
2 Henderson, Nevada, 89015, situated in Clark County, Nevada, and full legal description being as  
3 follows:

4 Parcel I:  
5 Lot Thirty-Five (35) in Block Three (3) of TRADITIONS at  
6 HENDERSON, as shown by map thereof on file in Book 93 of  
7 Plats, Page 82, in the Office of the County Recorder of Clark  
County, Nevada.  
APN# 179-20-817-035

8 DATED this 22<sup>nd</sup> of February, 2012.

9 JOHN PETER LEE, LTD.

10 BY: 

11 JOHN PETER LEE, ESQ.  
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19 Attorneys for Plaintiff

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